

# **Neighborhood Leadership Academy**

**February 25, 2020**

**CODE Enforcement 101**

# Tonight's Itinerary

- **Buildings and Inspections & Solicitor's Office:** Art Dalhberg, Director of B&I & Erica Faaborg, Chief Counsel, Quality of Law Division, Solicitor's Office
- **BREAK**
- **Department of Public Services:** Tracy Grome, Service Area Coordinator, DPS
- **Cincinnati Fire Department:** District Chief Fred Prather, CFD
- **Cincinnati Health Department:** Antonio Young, Director of Environmental Health
- **BREAK**
- **Panel Discussion: B&I, Law, DPS, CFD, CHD, OPDA**

# Department of Buildings and Inspections

Property Maintenance Code Enforcement

# Department of Buildings & Inspections

- The **mission** of the City of Cincinnati Buildings & Inspections Department is to protect the health and safety of the citizenry by ensuring the quality and integrity of the City's Building Environment.
- The **goal** of the department is to promote economic development and maintain the quality of the commercial and residential building stock through the enforcement of established building and zoning codes.

# Property Maintenance Code Enforcement

The Property Maintenance Division is charged with eliminating blight and building safety hazards and promotes building repair and renovation through education and enforcement to protect the public health, safety and quality of life.

- **Cincinnati Housing Code**
  - Chapter 1117 of the Cincinnati Municipal Code



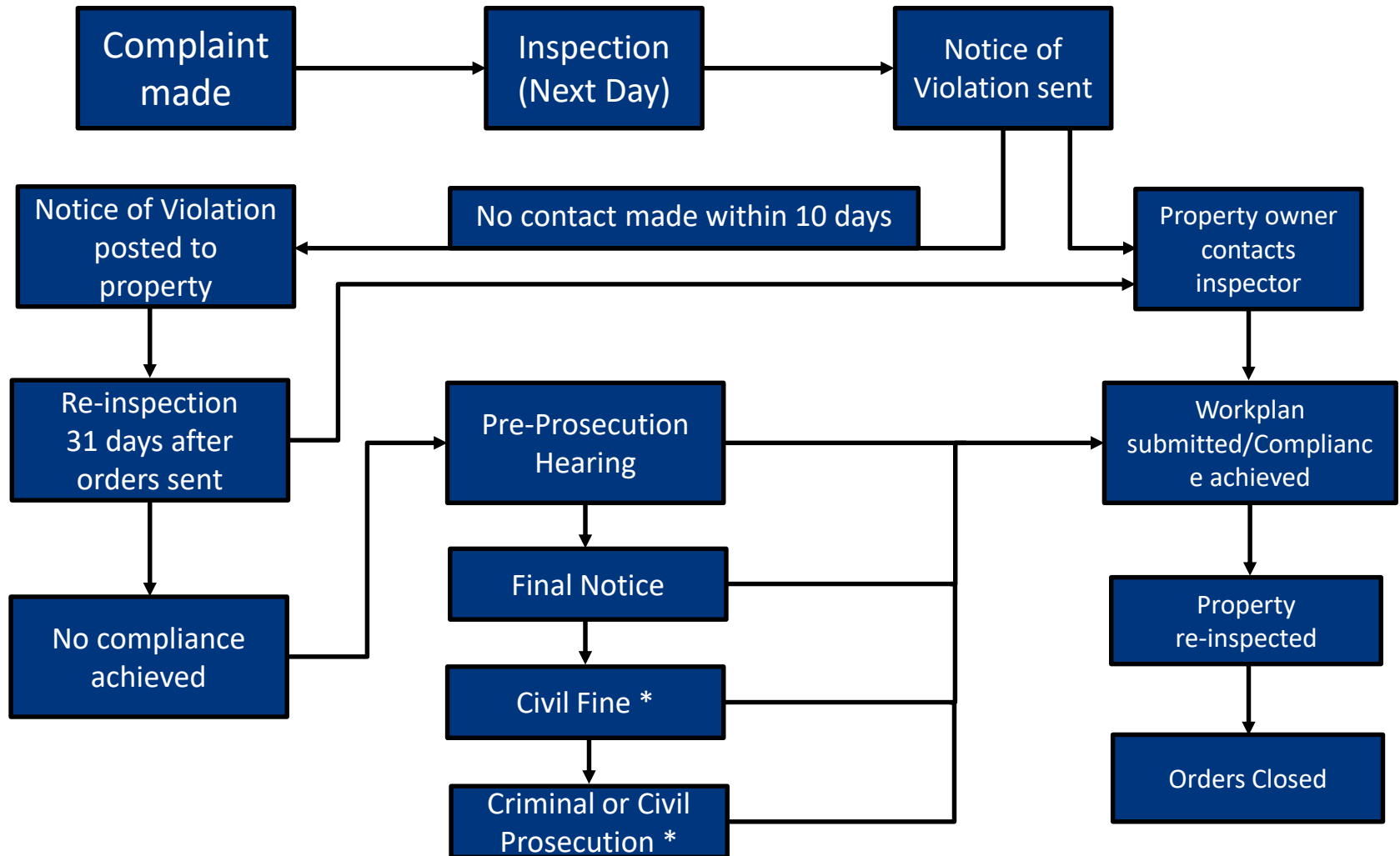
# PMCE Caseload

- Manages approximately **18,000** cases
- Receive approximately **7,400** complaints per year
  - Approximately **60%** verified
  - Approximately **40%** unsubstantiated
- Perform approximately **57,000** inspections per year
- Conduct approximately **1,000** Concentrated Code Enforcement
- Monitoring over **2,100** vacant buildings in the city

# PMCE Complaint v Proactive

- **Complaint Based Code Enforcement**
  - If a complaint is received, PMCE is legally obligated to investigate
    - Approximately **60%** verified
    - Approximately **40%** unsubstantiated
  - Approximately **85%** of orders are resolved through voluntary compliance
- **Concentrated Code Enforcement (CCE)**
  - Community Councils can adopt CCE:
    - All properties within focus area are inspected
    - Longer time to comply: 30 days vs 90 days

# PMCE Process



\* For owner occupied properties, this step does not occur without prior approval from Director and Quality of Life Team.

# Communicating with a City Inspector

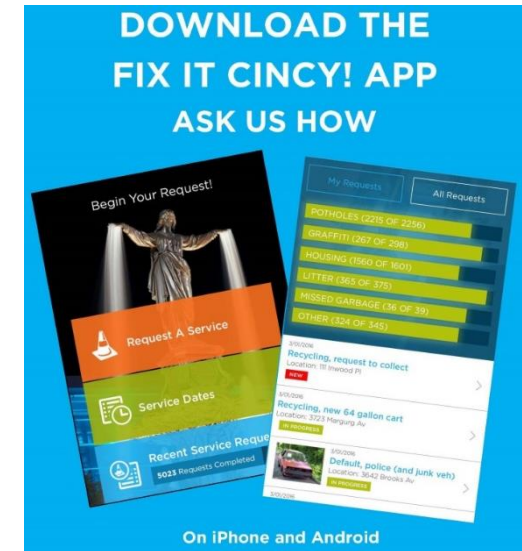
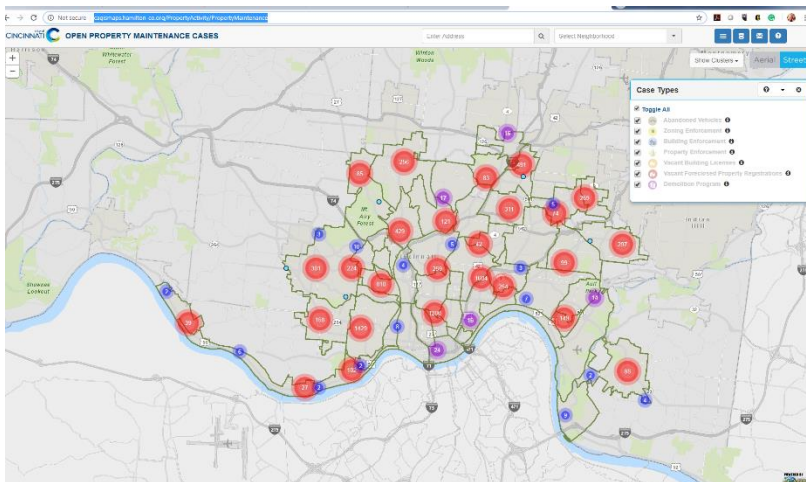
If a property owner receives a notice of violation:

- **You will receive it via mail**
- **Immediately contact the inspector listed on the order**
  - They will be able to explain the order in detail
  - Can provide a walk-thru of the property to explain the violation
  - Will work with the owner to develop a work plan
  - Help to identify available financial assistance resources
- **If the owner does not acknowledge the order within 10 days:**
  - A copy of the order will be posted on the property

# PMCE Complaints

## Submit a Complaint

- FixIt Cincy! App
- (513) 591-6000
- 5916000.com



## Track a Complaint

- [Cincycodeenforcement.com](http://Cincycodeenforcement.com)
- CAGIS Activity Report

## PROPERTY MAINTENANCE CODE COMMON VIOLATIONS

The investment you have made in your home is probably the largest single investment you will make in a lifetime. One sure way to protect and potentially increase the value of this investment is through routine preventive maintenance. With timely maintenance of your home comes greater value for you and your neighborhood. Routine checks of the items in the house graphic will enable you to detect problems early and avoid costly replacement of systems prematurely. It is far less expensive to paint and maintain a box gutter than to replace it.

Call the Division of Property Maintenance Code Enforcement at 513-352-3275 for further information.



### (A) ACCESSORY STRUCTURES-GARAGES AND SHEDS ACCESSORY STRUCTURES

Repair or take down and remove the dilapidated accessory structure located on the premises.

### (A1) SWIMMING POOL ENCLOSURE

Provide a pool enclosure. The enclosure shall extend not less than 4 feet (1219 mm) above the ground. All gates shall be self-closing and self-latching with latches placed at least 4 feet (1219 mm) above the ground. Enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than 4 inches (102 mm) in diameter through any opening or under the fence. Fences shall be designed to withstand a horizontal concentrated load of 200 pounds (91 kg) applied on a 1-square-foot (0.093m<sup>2</sup>) area at any point of the fence. Contact the area inspector for further code requirement information pertaining to specific pool, spa or hot tub enclosures.

### (A2) VENTILATION

Provide adequate ventilation for all rooms or spaces as required under the Housing Code.

### (B) TREES REMOVE HAZARDOUS TREE

Take down and remove from the premises, hazardous dead tree or tree limbs.

### (C) CHIMNEYS REPAIR CHIMNEY

Rake out mortar joints of chimney (s), replace crumbling brick and point up. After a chimney has been repaired, all flues, inlets and cleanouts shall be thoroughly cleaned and left in good operating condition.

### (D) WINDOWS REPAIR WINDOWS

Overhaul windows, where necessary, provide sound sash, replace broken glass and restore to good working order.

### (E) FLASHINGS REPAIR FLASHINGS

Repair or replace all rusted, defective, leaking or missing flashing.

### (F) ACCESSORY STRUCTURES - FENCES REPAIR FENCE

Substantially repair or remove dilapidated fence.

### (G) YARD WALKS REPAIR WALKS

Repair deteriorated yard walks, replacing all cracked, broken or otherwise defective sections in an approved manner. Pitch the walks to drain away from the building.

### (H) PORCHES AND GUARDRAILS

Provide approved guardrails for all balconies, porches and decks.



**(O) STRUCTURAL MEMBERS**

REPAIR WALL STRUCTURE- WOOD  
REPAIR FRAME WALL STRUCTURE

Repair or replace all defective, studs, sole plates, top plates, headers, bracing and other defective structural members in the wood frame wall system in accordance with standard engineering practice.

**(P) FOUNDATIONS REPAIR FOUNDATION**

Repair defects and large cracks in the foundation and restore them to structurally sound and reasonably watertight condition.

**(Q) DOORS REPAIR DOORS**

Restore doors to good condition and repair.

**(R) CHIMNEY FLUES**

FLUES TO BE CLEAN/UNOBSTRUCTED

Clean chimney flues to make them capable of providing the draft necessary to remove the products of combustion from heating of water heating equipment.

**(S) CORNICE REPAIR CORNICE**

Repair cornice, replacing all rotted material and securely fastening all loose parts.

**(T) PAINTING PAINT EXTERIOR**

Paint or otherwise protect all exterior wood and/or metal, which are now inadequately protected against the weather. Existing painted surfaces that must be disturbed to complete this work may contain lead.

**(U) INSECT AND RODENT CONTROL**

INSECT AND RODENT CONTROL

Exterminate the insects and/or rodents on the premises.

**(V) REPAIR LINTELS REPAIR LINTELS**

Replace or repair, in an approved manner, all cracked, broken or otherwise defective lintels.

**(W) YARD DRAINS CLOGGED YARD DRAINS**

Clean out yard drains and drain lines and restore them to good working order.

**(X) PAVED SURFACES DRAINAGE OF PAVING REQUIRED**

Provide subsurface drainage for paved area in excess of 800 square feet. If there is no approved sewer the drainage must be disposed of on the property in an approved manner.

**(Y) DOWNSPOUTS REPAIR DOWNSPOUTS**

Repair or replace all leaking, loose, rusted or defective downspouts.

**(Z) SEWER CONNECT DOWNSPOUTS**

SEWER CONNECT DOWNSPOUTS

Sewer connected downspouts or otherwise dispose of storm water in an approved manner.

**(I) HANDRAILS PROVIDE HANDRAIL EXTERIOR**

Provide approved handrails for all stairs where necessary. Handrails shall be not less than 30 inches or more than 34 inches above the nosings of the treads or landings.

**(J) ROOF REPAIR ROOF**

Restore the roof to good repair, free of holes, large cracks, and any loose and deteriorated material and make the roof reasonably weathertight and watertight.

**(K) EXTERIOR WALL COVERING WEATHER TIGHT EXTERIOR**

Restore exterior walls, roofs, floors and foundations to watertight and weather tight condition.

**(L) GUTTERS REPAIR GUTTERS**

Repair or replace all leaking, loose, rusted or defective gutters.

**(M) YARD - WEEDS AND RUBBISH REMOVE LITTER**

Collect and remove all litter from the premises within 15 days of the date of this notice. If you do not collect and remove all litter from the premises within 15-day period, the City Manager or Commissioner of Health is required to have the litter collected and removed. The cost of collection and removal is placed as a lien on the property or collected by personal judgment against the owner or person in control. Cut or destroy all noxious weeds on the subject property and then remove the cut or destroyed weeds from the premises. Correct this violation within 7 days of the receipt of this notice. If you do not correct this violation within 7 days, the City Manager or Commissioner of Health is required to have the weeds cut or destroyed and removed. The cost of this work is collected as a lien on the property or by personal judgment against the owner or person in control.

**(N) STEPS REPAIR STEPS**

Repair and maintain exterior steps. Replace all defective materials

# Law Department

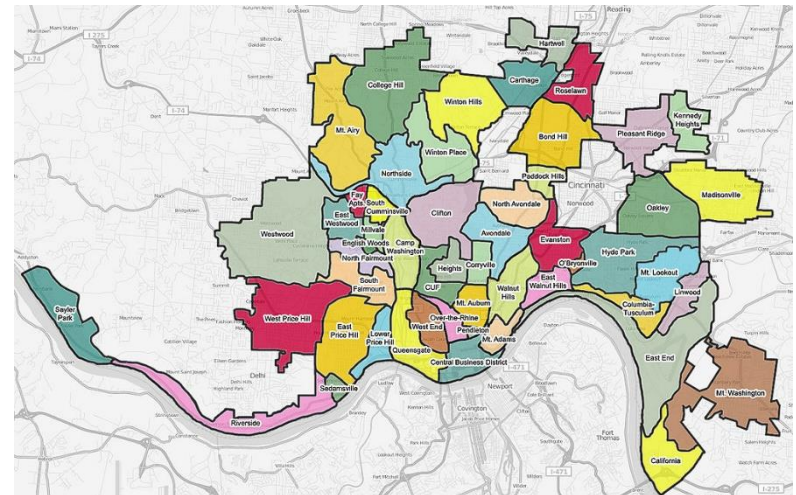
Quality of Life Division

# Quality of Life Division

The Quality of Life Division was established in 2014 and comprised of six (6) attorneys.

## Goal

To improve citizens' quality of life through affirmative litigation with a focus on protecting housing resources and eliminating criminal “hot spots.”



# Successful blight abatement

- **Key Factors**

- Comprehensive and considerate code enforcement
- Community/stakeholder engagement
- Specific goals/outcomes
- \$\$

“One single blighted property, left unabated for too long, can decimate an entire community.”

1st Dist., No. C-090789 (Mar. 23, 2011)

# Inter-Department Collaboration



“Alone we can do so little; together we can do so much.”

- Helen Keller

# Code Enforcement Response Team (CERT)

**Mission**: to resolve “tough-to-crack” nuisance/blighted properties across the City’s 52 neighborhoods

- Participating Departments

- Law

- Police

- Public Services

- Buildings

- Health -Fire

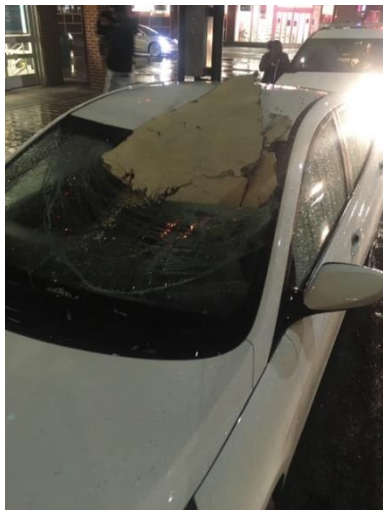
- Monthly meetings and inspections

- To qualify, two or more departments impacted AND departments have exhausted internal enforcement



Everything  
is NOT fine!

# A Picture is Worth a Thousand Words



# Case Example: Cincinnati

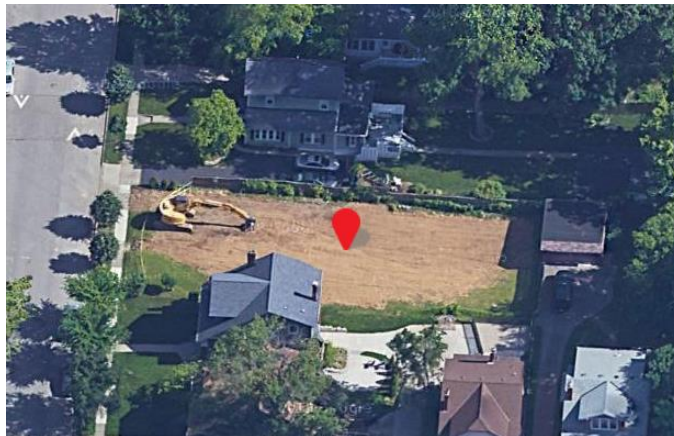
3808 Drake - SF



# Case Example: Cincinnati

## 3808 Drake - SF

- Deceased owner/intestate/no heirs appeared
- Receiver obtained court permission to proceed with demolition (rotted wood/balloon frame house)
- Lot sold for redevelopment (\$155K)



# Case Example: Cincinnati

1833 Sycamore – Historic Flatiron



# Case Example: Cincinnati

## 1833 Sycamore – Historic Flatiron

- Had property declared nuisance under 3767.41
- Entered into stabilization agreement with Hamilton County Landbank due to costs to truly stabilize (over \$300K invested)
- Stabilized and under contract for redevelopment w/\$250k in historic tax credits



# How Can We Partner?

Community Programs and Resources

# How can we partner?

The Community can partner with the City by:

- **Educating residents about the code enforcement process**
- **Community Councils and CDCs can be proactive by using CAGIS Online to flag issues and offer assistance**
- **Steer homeowners with code violations to available financial resources**
- **Identify problem properties in the neighborhood and refer them to PMCE and/or the Quality of Life Division**
  - i.e. Dilapidated and/or unsecured vacant buildings, deteriorating rental properties, etc.

# Communicating with a City Inspector

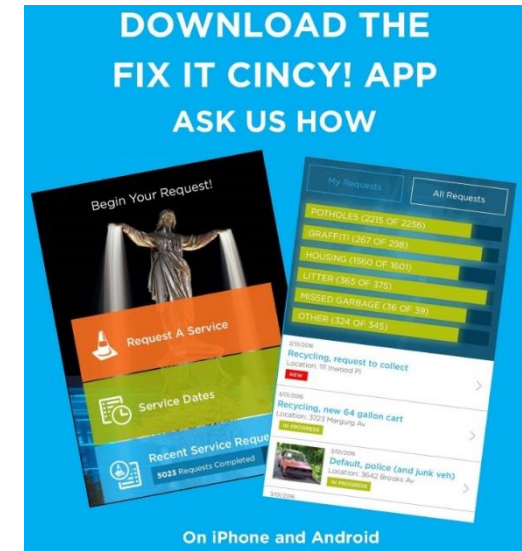
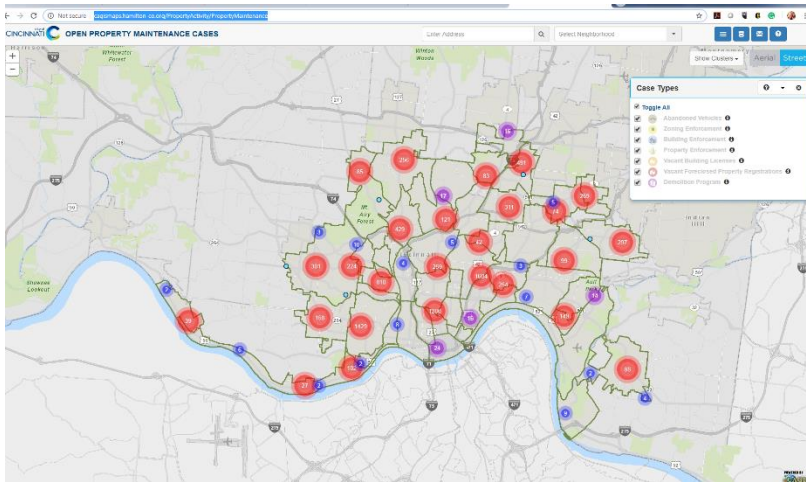
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- CAGIS Activity Report

# Financial Resources for Owner-Occupied Properties

- **Emergency Repair Grants** - People Working Cooperatively, Inc. (PWC)
- **Compliance Assistance Repairs for the Elderly (CARE)** - The Community Action Agency's (CAA)
- **Home Improvement Program (HIP)** - Hamilton County
- **Repairs Corps program** – Habitat for Humanity of Greater Cincinnati (HFHGC)
- **Homeowner Services Program (HSP)** - The Home Ownership Center of Greater Cincinnati, Inc. (HOC)

# Educational Resources for Landlords and Tenants

- **Landlord Training**
  - Partnership with Police, Fire, and Law
  - Teaches fair housing law, tenant screening, eviction process, properties maintenance best practices, fire safety, and the role of the police
  - Lunch & Learn series component
  - Approximately people **350** attended the trainings
- **Tenant Training**
  - Partnership with Law and Legal Aid Society of Greater Cincinnati
  - Teaches rights and responsibilities of tenants and landlords
  - Launched training in 2019

**Thank you!**

**How to Find Us**

city of  
**CINCINNATI**

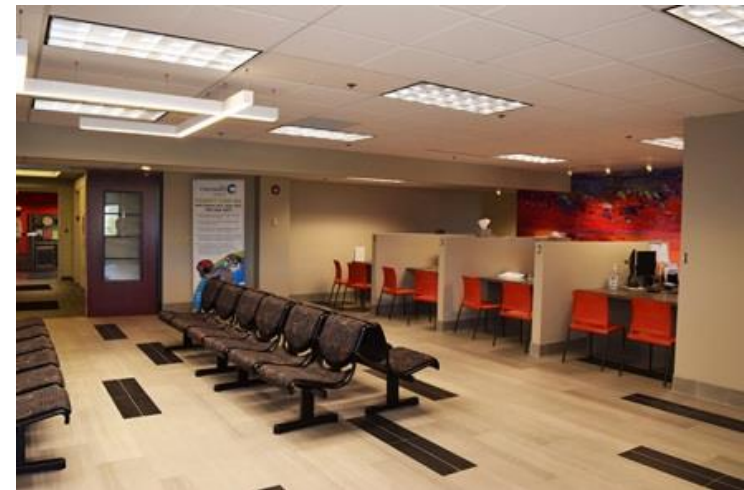
# Permit Center

805 Central Avenue, Suite 500

Cincinnati, Ohio 45202

Monday through Friday 7:30 a.m. – 4 p.m.

- All reviewing agencies sit on the floor to offer a streamlined permitting process
- Offers a three-tier review process
  - Same-Day Review
  - Review by Appointment
  - Traditional Plan Review



# Department of Buildings & Inspections

## Reach us:

- [www.cincinnati-oh.gov/buildings](http://www.cincinnati-oh.gov/buildings)
- Main: (513) 352-3271
- Art Dahlberg, Director  
(513) 352-2424 or [Art.Dahlberg@Cincinnati-oh.gov](mailto:Art.Dahlberg@Cincinnati-oh.gov)
- Lindsey Mithoefer, Communications Manager  
(513) 352-2443 or [Lindsey.Mithoefer@Cincinnati-oh.gov](mailto:Lindsey.Mithoefer@Cincinnati-oh.gov)

## Law Department

- [www.cincinnati-oh.gov/buildings](http://www.cincinnati-oh.gov/buildings)
- Erica Faaborg, Chief Counsel – Quality of Life  
(513) 352-3309 or [Erica.Faaborg@Cincinnati-oh.gov](mailto:Erica.Faaborg@Cincinnati-oh.gov)

# BREAK

Up next:

- **Department of Public Services:** Tracy Grome, Service Area Coordinator, DPS
- **Cincinnati Fire Department:** District Chief Fred Prather, CFD
- **Cincinnati Health Department:** Antonio Young, Director of Environmental Health
- **BREAK**
- **Panel Discussion: B&I, Law, DPS, CFD, CHD, OPDA**

# **Private Lot Abatement Program**

**February 25, 2020 Code Enforcement**

# Complaint Investigation Procedure

- Complaints are reported by the public, Litter Control Officers and other city departments.
- Complaints are entered into the CSR System via (591-6000) or Fix It Cincy Application
- Complaints are investigated within 48 hours
- Status of complaints from the inspection can be rendered: CLOSED NO VIOLATION, DUPLICATE COMPLAINT, REFERRED OR CITATION ISSUED

# RESPONSIBILITY & AUTHORITY

PLAP Derives its authority from various chapters of the Cincinnati City Municipal Code (CMC)

CMC 714-37 Owner to Maintain

CMC 731-3 Weed Control



# Responsibility & Authority

## CMC Chapter 729 Waste Disposal

Sec. 729-71 Improper set out

729-15 Removal of Containers

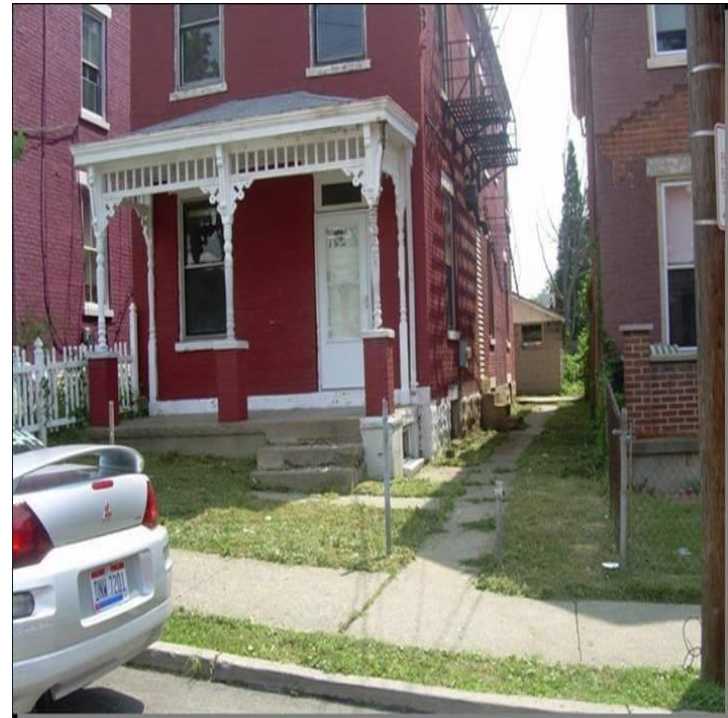


# Office of Administrative Hearings (OAH)

- Administered within the Law Department
- Provides the means to treat these types of violations of the CMC as civil offenses
- Holds informal hearings at the request of the respondent
- Affirms offenses, provides “Cure Credit, Dismisses Citation

# Private Lot Abatement Program (PLAP)

SEC.714-45 Removal by Public Officers



# **Cincinnati Fire Department**

District Chief Fredrick Prather  
Fire Prevention Division

## Fire Prevention

- The best way to fight a fire is to **prevent** it!
- Code Enforcement is one of the most effective means of preventing fires.



# Top Causes of Preventable Fires

- Abandoned or discarded materials or products
- Unattended equipment
- Equipment not operated properly
- Electrical failure or malfunction
- Mechanical failure or malfunction
- Heat source too close to combustibles



# Why are fire prevention measures necessary?



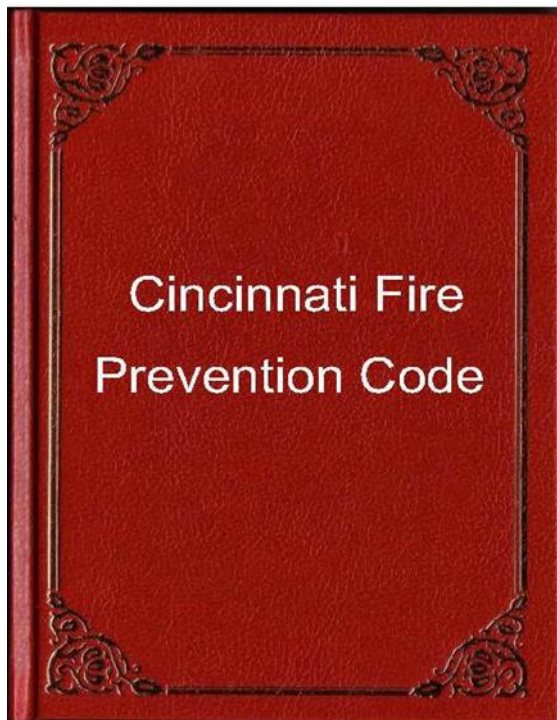
- Fire is the greatest threat a community faces.
- Fire devastates communities, claims lives, and costs millions.
- Responding fire crews can do an amazing job in fighting fires, but the damage to the community begins prior to their arrival.

# Why are fire inspections vital?



- A fire inspection program is the most effective method of keeping the community safe from fires!
- Code enforcement is the basis for fire prevention inspections.
- The inspection process is the very backbone of the fire prevention program.

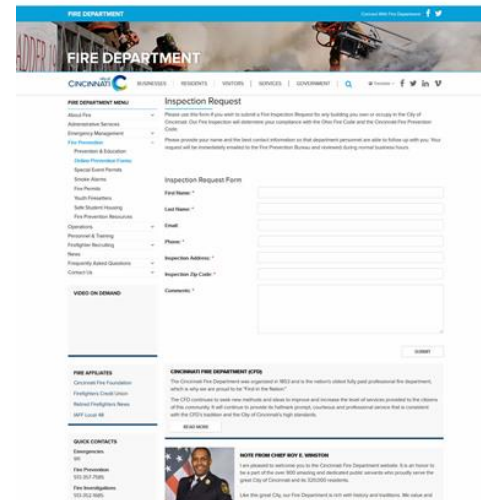
# The Cincinnati Fire Department adheres to the following fire codes:



# Ways to Request a Fire Inspection

## There are two options

- By Telephone
- Via the City's Website



# Fire Inspection Requests Made by Phone

- Call the Fire Prevention Division at 513-357-7585, select Option 2.
- A member of the Fire Department's Fire Prevention Division will arrange for an inspection of the requested property.
- When the Fire Department returns your call, you will be asked for your email address and two preferred times to for the inspection.



## Fire Code Inspection are you ready?

### Fire Extinguishers:

- Is there a properly mounted fire extinguisher near every exit at minimum? They should be visible and accessible.
- Are the fire extinguishers up to date on their inspections, with current tags from a fire protection company?

### Emergency Evacuation:

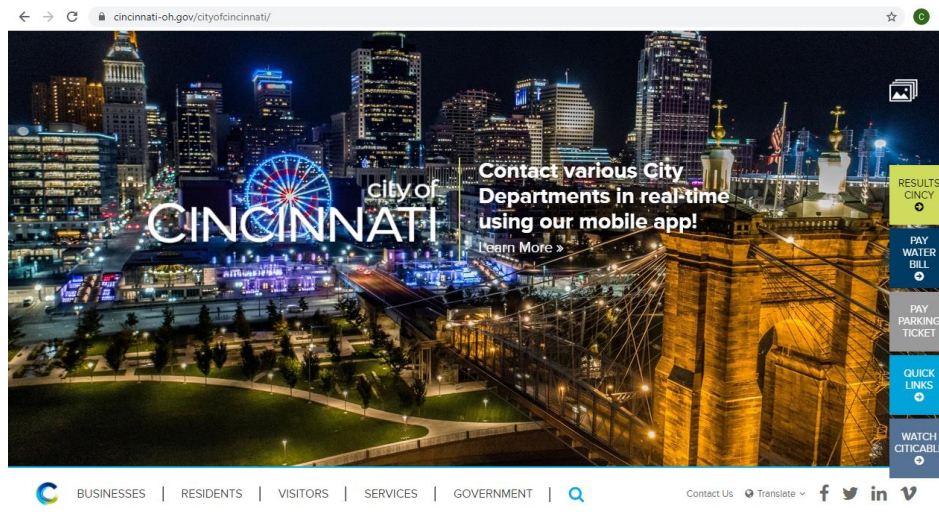
- All exits are marked with the proper signage?
- Exit signs are illuminated?
- Emergency lights are intact and turn on when tested?
- The building fire escape route is posted visibly in rooms without direct access to the outdoors, with exits clearly marked?

### Restaurants:

- The kitchen fire suppression system has a current inspection tag from a fire protection company?
- The fire system manual pull station is visible and easily accessible?
- The kitchen exhaust hood has a sticker indicating your last hood cleaning?
- There is a Class K extinguisher in the kitchen with a current inspection tag?

# Fire Inspection Requests Made Via Website

- Go to [www.cincinnati-oh.gov/cityofcincinnati](http://www.cincinnati-oh.gov/cityofcincinnati)



- <https://www.cincinnati-oh.gov/fire/fire-prevention/>

# **CINCINNATI HEALTH DEPARTMENT (Common Codes)**

February 25, 2020

**Antonio Young, R.S.**  
**Director, Environmental Health**

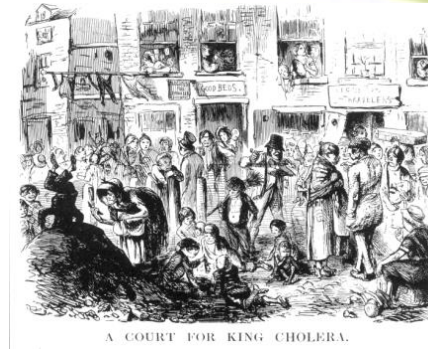


# What We Will Cover

- Overview of Environmental Health Division
- Common code violations (Healthy Homes Office)
- How inspectors are activated to respond to complaints
- Enforcement Process



# History of Public Health Inspection



A COURT FOR KING CHOLERA.

- In the 19<sup>th</sup> century, scientists and the public health establishment started seeing a link between sickness and sanitation.
- The Cincinnati Health Department was established in 1826.
- Health departments gave policing power to Sanitarians or “Sanitationalists” to enforce better sanitation practices and preclude rampant disease prevalence.
- Cleaning the environment has prevented and cured more illnesses than any discoveries in medicine or new technology.

# Sanitarian Duties



- Sanitarians are involved in a variety of activities like investigating food facilities, investigating nuisances, and implementing disease control.
- Sanitarians are focused on prevention, consultation, investigation and education of the community regarding health risks and maintaining a safe environment.



# Legal Authority

- Ohio Revised Code (ORC)
- Ohio Department of Health (ODH)
- Ohio Department of Agriculture (ODA)
- Ohio Environmental Protection Agency (OEPA)
- Ohio Administrative Code (OAC)
- Cincinnati Municipal Codes (CMC)
- Board of Health Regulations (BOH)



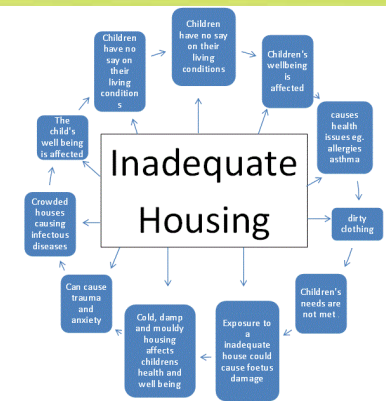
# Environmental Health Division Programs



- 1. Food Inspection Program** (restaurants, food trucks, grocery stores, festivals)
- 2. Environmental Waste Unit** (composting, tattoo parlors, infectious waste, open dumping)
- 3. Technical Environmental** (swimming pools, rabies investigations, household sewage, vector control)
- 4. Healthy Homes ....**



# Healthy Homes Nuisance Inspections



Inspection Programs	Frequency in 2019
Mold	801
Roach	408
Unsanitary Living Conditions	257
Defective Plumbing	317
Rat	281
Mouse	211
No Heat	165
Broken Sewer Line	151
No Water	52

# Mold

BOH § 00053

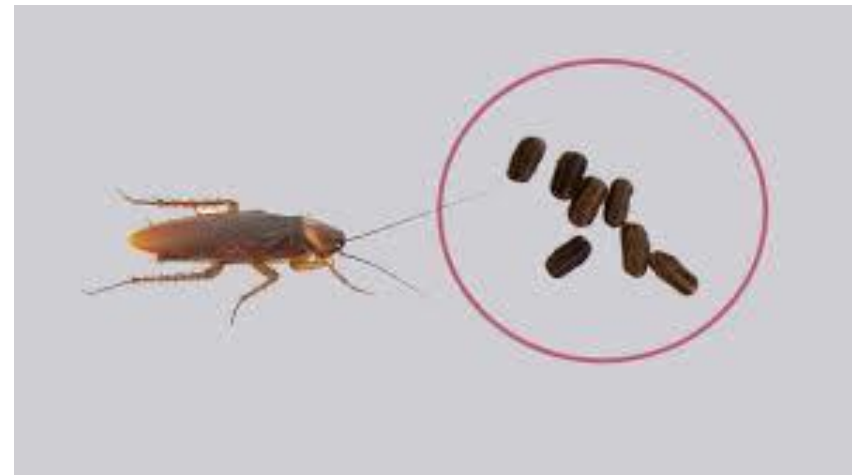
CMC 602



# Roaches/Rodent Infestations

BOH § 00053

CMC 602



# Defective Plumbing

BOH § 00053

CMC 602



# Unsanitary Living Conditions

BOH § 00053

CMC 602



# Activation/Enforcement

- HEALTH THREAT- Complainant must first report the issue to the landlord for resolution.
- INTAKE- File a complaint through 591-6000, direct calls to CHD or online.
- INSPECTION- Inspector inspects property noting all violations.
- ORDER ISSUANCE- An order to correct the violations by a specified time issued to owner.



# Activation/Enforcement



- REINSPECTION- Revisit property to verify if order has been rectified.
- PRE-PROSECUTION- An informal hearing for the owner to show cause not to prosecute.
- PROSECUTION- Criminal court prosecution is M-1 6 mo. Jail and/or \$1000.
- FINE - Civil citation fine is \$500.00/2<sup>nd</sup> offense \$750.00 and cost doubles in 7 days (OAH).



# Free Healthy Homes Assessment



- We offer and conduct Healthy Homes assessments in response to citizen complaints and/or requests for assessment in two programs (Healthy Homes, and Childhood Lead Poisoning Prevention Program)
- Health inspectors provide education on-site
- Brochures and educational materials on the Healthy Homes principles
- Building data on the condition of housing stock in Cincinnati, to allow us to identify areas of the city which will need intensive additional assessments



# Healthy Homes Assess

- **Dry**: Prevent water damage and mold growth by checking your plumbing, roof, and draining systems for leaks.
- **Clean**: Keep all areas free of clutter and contaminants.
- **Safe**: Install smoke/carbon monoxide detectors and fire extinguishers. Take other safety measures to prevent injuries.
- **Well-Ventilated**: Supply fresh air and decrease the concentrations of radon, carbon monoxide, VOC and tobacco smoke in your home.
- **Contaminant-free**: Reduce the exposure to lead, pesticides, poisons and other contaminants in your home.
- **Well-Maintained**: Inspect, clean, and repair your home routinely.
- **Pest-free**: Seal cracks and openings to prevent insects and rodents from entering your home. Eliminate harborage, water, food.

# How To Contact Us

- File a complaint by calling (513) 591-6000
- <https://tinyurl.com/wo3bm5d>



Cincinnati Health  
Department



@CinciHealthDept



@cinci\_healthdept

<b>Healthy Homes</b>	<b>352-2908</b>
<b>Food Inspection Program</b>	<b>564-1751</b>
<b>Technical Environmental</b>	<b>352-2922</b>
<b>Solid Waste Unit</b>	<b>564-1780</b>
<b>Lead Office</b>	<b>357-7420</b>

# Q&A

Thank you for listening. Any questions?



# BREAK

Panel: B&I, Law, DPS, CFD, CHD, OPDA